

Senate Engrossed

State of Arizona  
Senate  
Forty-fifth Legislature  
First Regular Session  
2001

CHAPTER 121

# **SENATE BILL 1436**

AN ACT

AMENDING SECTION 25-513, ARIZONA REVISED STATUTES; RELATING TO FAMILY SUPPORT DUTIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 25-513, Arizona Revised Statutes, is amended to  
3 read:

4 25-513. Employer cooperation; violation; classification

5 A. On written request delivered by first class mail to an employer,  
6 payor or self-employed person by the department or its agent or THE CHILD  
7 SUPPORT ENFORCEMENT ENTITY OF any other state or its agent that administers  
8 a child support enforcement program as required by title IV-D of the social  
9 security act or by either party to ~~an order~~ A PROCEEDING for support or  
10 maintenance, the employer, payor or self-employed person to whom the request  
11 is directed within twenty days of delivery shall notify the requesting party  
12 of the following information that the employer, payor or self-employed person  
13 possesses concerning the person who is obligated to pay child support OR  
14 MAINTENANCE or against whom this obligation is sought or to whom this  
15 obligation is owed:

- 16 1. Complete name.
- 17 2. Social security number.
- 18 3. Date and place of birth.
- 19 4. Present and past employment status.
- 20 5. Earnings, income, entitlements or other monies without regard to  
21 source.
- 22 6. Current or last known address.
- 23 7. Assets.
- 24 8. Availability and description of present or previous health  
25 insurance coverage for a dependent child.
- 26 9. Health insurance benefits paid or applied for under a health  
27 insurance policy for a dependent child.
- 28 10. Other benefits, including disability payments or payments made  
29 pursuant to a pension or retirement program.

30 B. The information required pursuant to subsection A, paragraphs 5,  
31 7, 8, 9 and 10 shall not be requested or provided unless paternity has been  
32 established.

33 C. If any legal action is necessary for the requesting party to obtain  
34 the information requested pursuant to subsection A, the requesting party is  
35 entitled to receive costs and attorney fees from the employer, payor or  
36 self-employed person who fails to cooperate as prescribed in subsection A.

37 D. A party shall not request or receive address information protected  
38 by an order of protection, an injunction against harassment or any other  
39 court order in a domestic violence matter. The employer, payor or  
40 self-employed person is not required to determine whether an order of  
41 protection, an injunction against harassment or any other court order in a  
42 domestic violence matter exists before releasing the information requested  
43 pursuant to subsection A.

1 E. A party other than ~~this state~~ THE DEPARTMENT OR ITS AGENT OR THE  
2 CHILD SUPPORT ENFORCEMENT ENTITY OF ANY OTHER STATE OR ITS AGENT THAT  
3 ADMINISTERS A CHILD SUPPORT ENFORCEMENT PROGRAM AS REQUIRED BY TITLE IV-D OF  
4 THE SOCIAL SECURITY ACT may make a request for information pursuant to this  
5 section not more than once in any three month period.

6 F. A party may request and obtain information pursuant to subsection  
7 A only for the following purposes:

8 1. To identify and locate a person who is under an obligation to pay  
9 support.

10 2. To identify and locate a person against whom an obligation is  
11 sought.

12 3. To identify and locate a person to whom an obligation is owed.

13 4. To identify and locate the ~~assets~~ of INFORMATION PURSUANT TO  
14 SUBSECTION A, PARAGRAPHS 5, 7, 8, 9 AND 10 RELATING TO a person who is  
15 obligated to pay support.

16 G. A party who requests or obtains information pursuant to subsection  
17 A for purposes other than those prescribed in subsection F is guilty of a  
18 class 1 misdemeanor.

APPROVED BY THE GOVERNOR APRIL 16, 2001.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 17, 2001.

Passed the House April 10, 20 01,

by the following vote: 49 Ayes,

8 Nays, 3 Not Voting

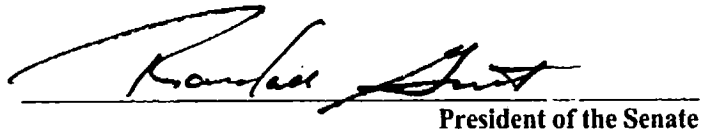
  
Speaker of the House

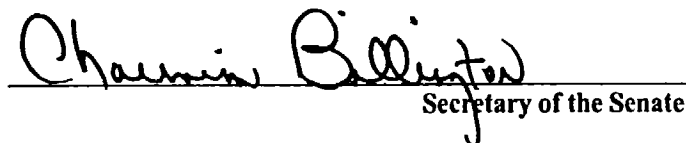
  
Chief Clerk of the House

Passed the Senate February 14, 20 01,

by the following vote: 22 Ayes,

8 Nays, 0 Not Voting

  
President of the Senate


  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

11 day of April, 2001,

at 11:03 o'clock A M.

  
Secretary to the Governor

Approved this 16 day of

April, 2001,

at 3:05 o'clock P M.

  
Governor of Arizona

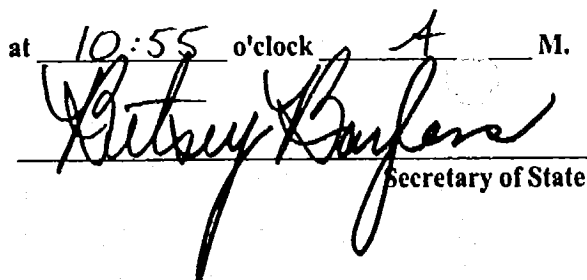
S.B. 1436

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 17 day of April, 2001,

at 10:55 o'clock A M.

  
Secretary of State